




Department of Energy
Washington, DC 20585

JUL 01 2011

MEMORANDUM FOR FRANK MARCINOWSKI
DEPUTY ASSISTANT SECRETARY FOR
TECHNICAL AND REGULATORY SUPPORT

YVETTE T. COLLAZO 
DIRECTOR
TECHNOLOGY INNOVATION AND DEVELOPMENT

FROM: WILLIAM M. LEVITAN 
DIRECTOR
OFFICE OF ENVIRONMENTAL COMPLIANCE

SUBJECT: **ACTION:** Sign the Low-Level Waste Disposal Facility Federal Review Group Charter

ISSUE: The Low-Level Waste (LLW) Disposal Facility Federal Review Group (LFRG) Charter identifies the purpose, objectives, and membership requirements of the group. The charter has not been updated since September 1999 to reflect the current responsibilities and objectives of the LFRG. Some of the substantial changes captured in the updated charter include the following: adding National Nuclear Security Administration and other Program Secretarial Office membership; addressing disposal of transuranic waste, waste incidental to reprocessing and mixed wastes; incorporating work scope associated with Section 3116 of the Ronald W. Reagan National Defense Authorization Act for FY 2005; and reflecting the current LFRG membership.

BACKGROUND: The LFRG is an independent group within the Office of Environmental Management (EM) that supports the Department of Energy in its regulatory responsibility identified under the Atomic Energy Act of 1954, as amended for the safe management and disposal of radioactive waste. The LFRG fulfills this responsibility through assessment of the disposal facility's Disposal Authorization Statement documentation against the requirements delineated in DOE Order 435.1, *Radioactive Waste Management*.

The LFRG was originally chartered by the Assistant Deputy Assistant Secretary for Waste Management and the Assistant Deputy Assistant Secretary for Environmental Restoration in September 1999 to assist EM management in the review of documentation related to the approval of Performance Assessments and Composite Analyses associated with the issuance of Disposal Authorization Statements for LLW disposal facilities.



OPTIONS: None

RECOMMENDATION: Based on the LFRG members vote on June 9, 2011, recommending approval of the attached charter, it is recommended that you sign the attached to reflect the current responsibilities and membership of the LFRG.

Attachments

CHARTER

OFFICE OF ENVIRONMENTAL MANAGEMENT LOW-LEVEL WASTE DISPOSAL FACILITY FEDERAL REVIEW GROUP

Purpose: The Low-Level Waste Disposal Facility Federal Review Group (LFRG) is an independent group to ensure, through review, that Department of Energy (DOE) (including the National Nuclear Security Administration) radioactive waste disposal facilities are protective of the public and environment. The LFRG process supports the DOE implementation of its regulatory responsibility under the Atomic Energy Act of 1954 as amended and DOE Order 435.1, *Radioactive Waste Management* and DOE's commitment to the Integrated Safety Management System process.

Objectives: The objectives of the LFRG are to:

- Review (1) low-level and transuranic waste disposal facility operational envelope documentation and other relevant information and (2) former high-level waste treatment and storage facility closure documentation and other relevant information against the applicable directive and regulatory requirements. The LFRG is also responsible for ensuring that DOE management of the radioactive component of mixed waste complies with DOE radioactive waste management requirements. This documentation may include: performance assessments, composite analyses, Comprehensive Environmental Response, Compensation, and Liability Act cross-walks, annual summaries of facility operations and radioactive waste management bases.
- Provide compliance evaluation reports, disposal authorization statements, and recommendations to the appropriate upper level managers within DOE with specific limits and conditions on design, construction, operations, and closure of disposal facilities for low-level and transuranic wastes and of former high-level waste treatment and storage facilities.
- Provide documentation reviews for disposal of non-high-level wastes (i.e., tank wastes) under the Authorities of Section 3116 of the Ronald W. Reagan National Defense Authorization Act for fiscal year 2005.
- Inform upper-level management of the status of disposal facilities including major issues that may arise.
- Conduct other reviews and assessments related to radioactive waste disposal, management or classification as directed by upper level Office of Environmental Management (EM) managers or requested by other program offices with concurrence from EM.

- Promote, coordinate, and facilitate the active exchange of successful programs, practices, procedures, and lessons learned and other pertinent information among members and with the Performance Assessment Community of Practice.
- Develop and maintain a LFRG Manual that describes processes and procedures for LFRG conduct of operations.
- Provide an additional mechanism for disposal facilities to interface with senior management and subject matter experts concerning reviews of radioactive waste management-related documents.

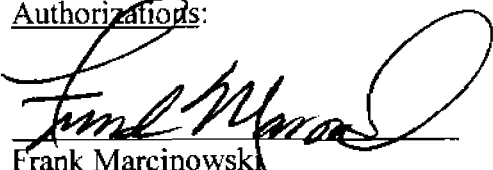
Membership:

- **Co-Chairpersons:** Senior EM management will appoint two co-chairpersons and an alternate for each co-chairperson. Each EM co-chairperson will be designated one vote. Alternates have voting rights only when their respective primary co-chairperson is unable to vote.
- **Members:** A Federal representative from each Headquarters and field organization having disposal facility responsibilities or high-level waste facility closure responsibilities shall be submitted by their respective management for approval by the co-chairpersons. Also, a Federal representative from each Headquarters program office that utilizes a disposal facility shall be nominated by their respective management for approval by the co-chairpersons. A Headquarters representative must also be appointed from the DOE Office of Health, Safety and Security. Each member will be designated one vote. Each organization's representative must identify an alternate for approval by the co-chairpersons. Alternates have voting rights only when their respective primary LFRG member is unable to vote.
- Attached is the most current list of members. The list may be updated as necessary by the co-chairpersons without approval of the LFRG authorizing Deputy Assistant Secretaries (DASs) and/or Office Directors.
- The LFRG Executive Secretariat shall be responsible for developing and maintaining the administrative record and providing other functions in support of orderly operation of the LFRG. Responsibilities include maintaining complete, up-to-date files of LFRG documents; preparing records of LFRG meetings, conference calls, and other deliberations; maintaining the membership roster and review schedule; making arrangements for meetings, conference calls, and other activities; and performing accounting and contracting activities.

Meetings, Quorum, and Voting: The LFRG will meet twice a year or as otherwise determined by the co-chairpersons. Between meetings the LFRG will hold conference calls to promote exchange of up-to-date information on facility developments and waste management initiatives and issues. A simple majority of the voting members shall

constitute a quorum. LFRG recommendations will be based, to the extent possible, on a consensus of the members present, but if consensus cannot be achieved by at least a two thirds majority, the minority may include a minority position in the record. If a quorum is not present, the co-chairpersons may jointly act on behalf of the LFRG, but any such decisions will be documented as having been made by the co-chairpersons. The DASs and/or Office Directors will be consulted if a consensus cannot be reached by the LFRG on a particular issue.

Authorizations:



Frank Marcinowski
Deputy Assistant Secretary for
Technical and Regulatory Support

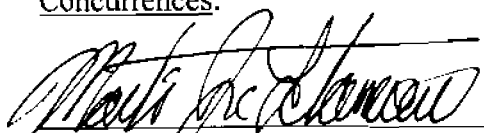
7/11/11
Date



Yvette Collazo, Director
Technology Innovation and Development
Office of Environmental Management

7/6/2011
Date

Concurrences:



Martin Letourneau
LFRG Co-Chairperson

6/30/2011
Date



Pramod Mallick
LFRG Co-Chairperson

6/30/11
Date

Attachment

Low-Level Waste Disposal Facility Federal Review Group Membership
as of June 21, 2011

Co-Chairpersons:

Martin Letourneau, EM-41

Alternate – Steven Golian, EM-41

Pramod Mallick, EM-31

Alternate – Deborah Kula, EM-33

Members:

Mary Willcox, ID

Alternate – Joel Case, ID

Frank DiSanza, NSO

Alternate – Jhon Carilli, NSO

Doug Hildebrand, RL

Alternate – John Morse, RL

Bob Lober, ORP

Alternate – Chris Kemp, ORP

Dave Adler, OR

Alternate – Bill McMillan, OR

M. Lee Bishop, LASO

Alternate – George Henckel, LASO

Mike Simmons, SRO

Alternate – Sherri Ross, SRO

Andy Wallo, HS

Alternate – Ed Regnier, HS

David Michlewicz, SC

Alternate – Tony Bindokas, SC

Tom Longo, NA

Alternate – Bob Fleming, NA

Julie Conner, NE

Alternate – Andy Griffith, NE

Richard Bonczek, PPPO

Alternate – Cindy Zvonar, PPPO